

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Title 15 U.S.C. Section 1 -- Price Fixing

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: See attachment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

CHENG YUAN LIN, aka C.Y. LIN

DISTRICT COURT NUMBER

CR 09

0110 MMC

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FEDERAL BUREAU OF INVESTIGATION

person is awaiting trial in another Federal or State Court,
give name of court

this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of
 charges previously dismissed
 which were dismissed on motion
of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a
 pending case involving this same
defendant

prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
defendant were recorded under

MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on this form JOSEPH P. RUSSONIELLO

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.
Attorney (if assigned) Niall E. Lynch, Ass't Chief, ATD**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior
summons was served on above charges2) Is a Fugitive3) Is on Bail or Release from (show District)**IS IN CUSTODY**4) On this charge5) On another conviction} Federal State6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No

} If "Yes"
give date
filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submitted**PROCESS:**

SUMMONS NO PROCESS* WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or
warrant needed, since Magistrate has scheduled arraignmentDefendant Address: Zen-ai Road, 3rd Section,
Lane 5 / Alley, 1, Number 2 /
Taipei, Taiwan Date/Time: _____

Before Judge: _____

Comments: _____

PENALTY SHEET

Indivision: CHENG YUAN LIN, aka C. Y. LIN

Maximum Penalties:

1. A fine in an amount equal to the largest of:
 - A. \$1,000,000.00
 - B. Twice the gross pecuniary gain derived from the crime.
 - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of imprisonment for ten years.
3. A term of probation of at least one year but not more than five years.
4. \$100 special assessment.
5. Restitution.

CR 09

0110

FILED
C2 FEB-4 2009
CLERK U.S. DISTRICT COURT
N.D. OF ALABAMA
MMC

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT					
BY: <input type="checkbox"/> COMPLAINT <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> INDICTMENT OFFENSE CHARGED 15 U.S.C. Section 1 -- Price Fixing			Name of District Court, and/or Judge/Magistrate Location NORTHERN DISTRICT OF CALIFORNIA		
PENALTY: See attachment			DEFENDANT - U.S. WEN JUN CHENG, aka TONY CHENG DISTRICT COURT NUMBER CR 09 0110 DEFENDANT		
PROCEEDING Name of Complainant Agency, or Person (& Title, if any) FEDERAL BUREAU OF INVESTIGATION <input type="checkbox"/> person is awaiting trial in another Federal or State Court, give name of court <input type="checkbox"/> this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District			IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding. 1) <input checked="" type="checkbox"/> If not detained give date any prior summons was served on above charges → 2) <input type="checkbox"/> Is a Fugitive 3) <input type="checkbox"/> Is on Bail or Release from (show District)		
this is a reprosecution of <input type="checkbox"/> charges previously dismissed <input type="checkbox"/> which were dismissed on motion of: <input type="checkbox"/> U.S. ATTORNEY <input type="checkbox"/> DEFENSE			SHOW DOCKET NO. } this prosecution relates to a <input type="checkbox"/> pending case involving this same defendant <input type="checkbox"/> prior proceedings or appearance(s) <input type="checkbox"/> before U.S. Magistrate regarding this defendant were recorded under		
MAGISTRATE CASE NO. } Name and Office of Person Furnishing Information on this form <u>JOSEPH P. RUSSONIELLO</u> <input checked="" type="checkbox"/> U.S. Attorney <input type="checkbox"/> Other U.S. Agency			IS IN CUSTODY 4) <input type="checkbox"/> On this charge 5) <input type="checkbox"/> On another conviction } <input type="checkbox"/> Federal <input type="checkbox"/> State 6) <input type="checkbox"/> Awaiting trial on other charges If answer to (6) is "Yes", show name of institution		
			Has detainer <input type="checkbox"/> Yes been filed? <input type="checkbox"/> No } If "Yes" If "Yes" give date filed → Month/Day/Year		
			DATE OF ARREST → Month/Day/Year Or... if Arresting Agency & Warrant were not		
			DATE TRANSFERRED TO U.S. CUSTODY → Month/Day/Year		
<input type="checkbox"/> This report amends AO 257 previously submitted					
ADDITIONAL INFORMATION OR COMMENTS					
PROCESS: <input type="checkbox"/> SUMMONS <input type="checkbox"/> NO PROCESS* <input checked="" type="checkbox"/> WARRANT Bail Amount: _____ If Summons, complete following: <input type="checkbox"/> Arraignment <input type="checkbox"/> Initial Appearance					
Defendant Address: #2 Lane 257, Lin Chung Yang Road #18 Lin, Fu Chung Li, Hsin Chu City Date/Time: _____ Before Judge: _____					
* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment Comments: _____					

PENALTY SHEET

Indivision: WEN JUN CHENG, aka TONY CHENG

Maximum Penalties:

1. A fine in an amount equal to the largest of:
- A. \$1,000,000.00
 - B. Twice the gross pecuniary gain derived from the crime.
 - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of imprisonment for ten years.
3. A term of probation of at least one year but not more than five years.
4. \$100 special assessment.
5. Restitution.

FILED
09 FEB -4 2009
RICHARD H. STICKLER
CLERK, U.S. DISTRICT COURT
CITY OF NEW YORK
ATTORNEY FOR DEFENDANT

MMC

CR 09

0110

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING**OFFENSE CHARGED**

15 U.S.C. Section 1 -- Price Fixing

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

MMC

DEFENDANT - U.S.

DUK MO KOO

DISTRICT COURT NUMBER

CR 09 DEFENDANT 0110

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior summons was served on above charges2) Is a Fugitive3) Is on Bail or Release from (show District)**IS IN CUSTODY**4) On this charge5) On another conviction} Federal State6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No} If "Yes"
give date
filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submittedName and Office of Person
Furnishing Information on this form JOSEPH P. RUSSONIELLO U.S. Attorney Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned) Niall E. Lynch, Ass't Chief, ATD**PROCESS:** SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

 Arraignment Initial Appearance

c/o Wine and Friends

Defendant Address: 3rd Floor, 97-16 Chungdam-dong, Gangnam-gu
Seoul, Korea

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

PENALTY SHEET

Indivision: DUK MO KOO

Maximum Penalties:

1. A fine in an amount equal to the largest of:
A. \$1,000,000.00
B. Twice the gross pecuniary gain derived from the crime.
C. Twice the gross pecuniary loss caused to the victims of the crime.

2. A term of imprisonment for ten years.

3. A term of probation of at least one year but not more than five years.

4. \$100 special assessment.

5. Restitution.

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

09 FEB 4 2009 AM 9:12
RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
MMC

UNITED STATES OF AMERICA,

v.

CR 09

0110

CHENG YUAN LIN, aka C.Y. LIN,

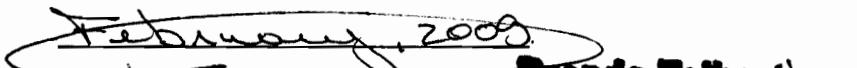
DEFENDANT(S).

A true bill.



Paul J. Taylor
Foreman

Filed in open court this 3 day of


Brenda Tolbert
Maria Elena James Clerk
United States Magistrate Judge


Anna Wensitt

Bail, \$ _____
NO BAIL ARREST WARRANT

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

CR 09

FEB -4 2009
RICHARD J. STICKLER, CLERK
U.S. DISTRICT COURT
SAN FRANCISCO, CALIFORNIA
MMC

0110

WEN JUN CHENG, aka TONY CHENG,

DEFENDANT(S).

A true bill.


Paul J. Taylor

Foreman

Filed in open court this 3 day of

February, 2009

Brenda Tolbert


Maria Elena James Clerk
United States Magistrate Judge


NO BAIL ARREST WARRANT

United States District Court
FOR THE
NORTHERN DISTRICT OF CALIFORNIA
VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

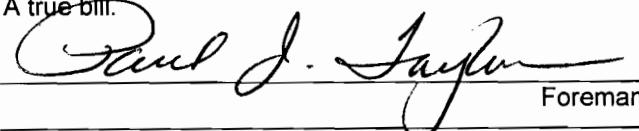
CR 09

0110

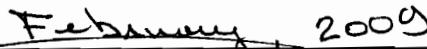
DUK MO KOO,

DEFENDANT(S).

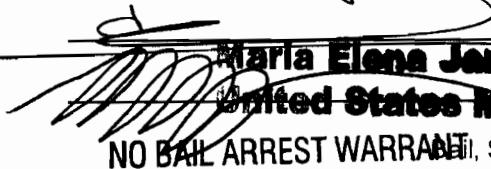
A true bitt.


Paul J. Taylor
Foreman

Filed in open court this 3 day of


February, 2009

Brenda Tolbert


Maria Elena James Clerk

United States Magistrate Judge

NO BAIL ARREST WARRANT, \$ _____

1 NIALL E. LYNCH (State Bar No. 157959)
2 MICHAEL L. SCOTT (State Bar No. 165452)
3 HEATHER S. TEWKSBUY (State Bar No. 222202)
4 ALEXANDRA J. SHEPARD (State Bar No. 205143)
5 DAVID J. WARD (State Bar No. 239504)
6 Antitrust Division
7 U.S. Department of Justice
8 450 Golden Gate Avenue
9 Box 36046, Room 10-0101
10 San Francisco, CA 94102
11 Telephone: (415) 436-6660

7 | Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MMC

12 UNITED STATES OF AMERICA)
13 v.)
14 CHENG YUAN LIN, aka C.Y. LIN,)
WEN JUN CHENG, aka TONY CHENG,)
and DUK MO KOO,)
16 Defendants.)
CR No. 09
INDICTMENT
VIOLATION:
Title 15, United States Code,
Section 1 (Price Fixing)
San Francisco Venue

17 || The Grand Jury charges that:

I.

DESCRIPTION OF THE OFFENSE

20 1. The following individuals are hereby indicted and made defendants on the charge
21 stated below:

- 22 (a) CHENG YUAN LIN, aka C.Y. LIN;
23 (b) WEN JUN CHENG, aka TONY CHENG; and
24 (c) DUK MO KOO.

25 2. From on or about September 14, 2001, until on or about December 1, 2006, the
26 exact dates being unknown to the Grand Jury, coconspirators of the defendants, LG Display Co.,

INDICTMENT

1 Ltd., formerly known as LG.Philips LCD Co., Ltd. (“LPL”), LG Display America, Inc.,
2 Chunghwa Picture Tubes, Ltd. (“Chunghwa”), and other corporations and individuals, entered
3 into and engaged in a combination and conspiracy to suppress and eliminate competition by
4 fixing the prices of thin-film transistor liquid crystal display panels (“TFT-LCDs”) in the United
5 States and elsewhere. The combination and conspiracy engaged in by the defendants, their
6 corporate employers, and other coconspirators was in unreasonable restraint of interstate and
7 foreign trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

8 3. Defendant CHENG YUAN LIN joined and participated in the conspiracy from at
9 least as early as September 14, 2001 and continuing until at least April 7, 2003. Defendant WEN
10 JUN CHENG joined and participated in the conspiracy from at least as early as October 5, 2001
11 and continuing at least until September 24, 2004. Defendant DUK MO KOO joined and
12 participated in the conspiracy from at least as early as December 11, 2001 and continuing at least
13 until December 1, 2005.

14 4. The charged combination and conspiracy consisted of a continuing agreement,
15 understanding, and concert of action among the defendants, their corporate employers, and other
16 coconspirators, the substantial terms of which were to agree to fix the prices for TFT-LCDs for
17 use in notebook computers, desktop computer monitors, and televisions in the United States and
18 elsewhere.

II.

MEANS AND METHODS OF THE CONSPIRACY

21 5. For the purpose of forming and carrying out the charged combination and
22 conspiracy, the defendants, their corporate employers, and other coconspirators did those things
23 that they combined and conspired to do, including, among other things:

- 24 (a) attended meetings and engaged in conversations and communications in
25 Taiwan, Korea, and the United States to discuss the prices of TFT-LCDs;
26 (b) agreed during those meetings, conversations, and communications to

- charge prices of TFT-LCDs at certain levels;
- (c) attended regular group meetings, commonly referred to as "crystal meetings," in hotel rooms in Taiwan and agreed during those meetings to charge prices for standard-sized TFT-LCDs at certain target levels;
- (d) exchanged TFT-LCD shipping, production, supply, demand, and pricing information for the purpose of implementing, monitoring, and enforcing adherence to the agreed-upon prices;
- (e) authorized, ordered, and consented to the participation of subordinate employees in the conspiracy;
- (g) issued price quotations in accordance with the agreements reached;
- (h) accepted payment for the supply of TFT-LCDs sold at collusive, noncompetitive prices to customers in the United States and elsewhere; and
- (i) took steps to conceal the conspiracy and conspiratorial contacts through various means.

III.

DEFENDANTS AND COCONSPIRATORS

6. Defendant CHENG YUAN LIN is a resident of Taiwan, Republic of China. From at least as early as September 14, 2001 until on or about April 7, 2003, CHENG YUAN LIN was Chairman and Chief Executive Officer of Chunghwa. During the period covered by this Indictment, Chunghwa was a Taiwanese company engaged in the business of producing and selling TFT-LCDs to customers in the United States and elsewhere.

7. Defendant WEN JUN CHENG is a resident of Taiwan, Republic of China. From at least as early as September 14, 2001 until on or about September 24, 2004, WEN JUN CHENG was employed by Chunghwa and beginning in March 2002 was Assistant Vice President of Sales and Marketing for Chunghwa. WEN JUN CHENG left his employment at Chunghwa on September 24, 2004.

1 8. Defendant DUK MO KOO is a resident and citizen of the Republic of Korea.

2 During the period covered by this Indictment, DUK MO KOO was Executive Vice President and
3 Chief Sales Officer for LPL. During the period covered by this Indictment, LPL was a Korean
4 company engaged in the business of producing and selling TFT-LCDs to customers in the United
5 States and elsewhere.

6 9. Various corporations and individuals, not made defendants in this Indictment,
7 participated as coconspirators in the offense charged in this Indictment and performed acts and
8 made statements in furtherance of it.

9 10. Whenever in this Indictment reference is made to any act, deed, or transaction of
10 any corporation, the allegation means that the corporation engaged in the act, deed, or transaction
11 by or through its officers, directors, employees, agents, or other representatives while they were
12 actively engaged in the management, direction, control, or transaction of its business or affairs.

13 IV.

14 TRADE AND COMMERCE

15 11. TFT-LCDs are glass panels composed of an array of tiny pixels that are
16 electronically manipulated in order to display images. TFT-LCDs are manufactured in a broad
17 range of sizes and specifications for use in televisions, notebook computers, desktop computer
18 monitors, cell phones, mobile devices, and other applications.

19 12. During the period covered by this Indictment, the defendants, their corporate
20 employers, and coconspirators sold and distributed substantial quantities of TFT-LCDs in a
21 continuous and uninterrupted flow of interstate and foreign trade and commerce to customers
22 located in states or countries other than the states or countries in which the defendants, their
23 corporate employers, and coconspirators produced TFT-LCDs. In addition, payments for TFT-
24 LCDs traveled in interstate and foreign trade and commerce.

25 13. The business activities of the defendants, their corporate employers, and
26 coconspirators that are the subject of this Indictment were within the flow of, and substantially

1 affected, interstate and foreign trade and commerce.

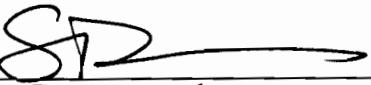
2 V.

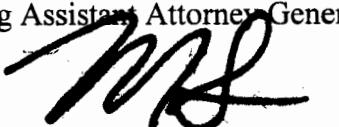
3 JURISDICTION AND VENUE

4 14. The combination and conspiracy charged in this Indictment was carried out, in
5 part, in the Northern District of California, within the five years preceding the filing of this
6 Indictment, excluding the period during which the running of the statute of limitations was
7 suspended pursuant to agreement with defendant CHENG YUAN LIN.

8
9 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

10 DATED:

11 
12 Scott D. Hammond
Acting Assistant Attorney General

13 
14 Marc Siegel
Director of Criminal Enforcement

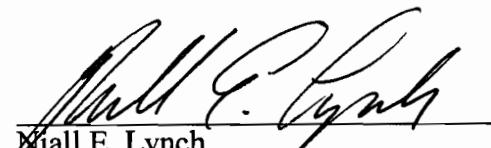
15 United States Department of Justice
Antitrust Division

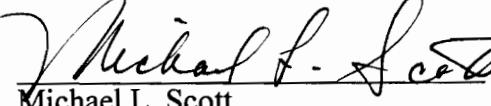
16 
17 Joseph P. Russoniello *FML-JPN*
18 United States Attorney
19 Northern District of California

10 A TRUE BILL

11 
12 FOREPERSON

13 
14 Phillip H. Warren
15 Chief, San Francisco Office

16 
17 Miall E. Lynch
18 Assistant Chief, San Francisco Office

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20 Michael L. Scott
Heather S. Tewksbury
Alexandra J. Shepard
David J. Ward
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